

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Randall S. Collier, *
*
Plaintiff, *
v. * Case No. 22-cv-00162-LM
*
James M. Carroll, et al., *
*
Defendants. *
*

THE JUDICIAL DEFENDANTS' MOTION TO DISMISS

Defendants, Hon. James Carroll, Hon. Michael Garner, and the New Hampshire Judicial Conduct Committee (collectively, the “Judicial Defendants”), by and through the New Hampshire Office of the Attorney General as counsel, hereby move to dismiss plaintiff Randall S. Collier’s complaint to the extent it asserts claims for relief against them.

The Court should dismiss Plaintiff’s complaint against the Judicial Defendants pursuant to Civil Rule 12(b)(1) because it fails to invoke this Court’s subject matter jurisdiction. Additionally, or in the alternative, dismissal should be granted pursuant to Rule 12(b)(6) because Plaintiff has failed to state a claim upon which relief may be granted against the Judicial Defendants. This motion is accompanied by a supporting memorandum of law. See L.R. 7.1(a)(2).

WHEREFORE, the Judicial Defendants respectfully request that the Court:

- A. Dismiss Plaintiff’s claims against them in their entirety; and
- B. Grant such further relief as is just and necessary.

[intentionally left blank]

Respectfully submitted,

HON. JAMES CARROLL, HON. MICHAEL
GARNER, and THE NEW HAMPSHIRE
JUDICIAL CONDUCT COMMITTEE

By their attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Dated: October 24, 2022

By: /s/ Brandon F. Chase
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by ECF on October 24, 2022, to all counsel and/or parties of record.

By: /s/ Brandon. F. Chase
Brandon F. Chase